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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/706,623

Applicant(s)

BALASUBRAMANIAN ET AL.

Examiner

Chun-Kuan (Mike) Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 9-12 is/are allowed.
- 6) ☐ Claim(s) 1-6 and 13-18 is/are rejected.
- 7) ☐ Claim(s) 7, 8, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

RESPONSE TO ARGUMENTS

1. Applicant's arguments filed 08/29/2007 have been fully considered but they are not persuasive. Currently claims 1-20 are pending for examination.
2. In response to applicant's arguments, in section I.A. starting on page 7, regarding the independent claim 1 rejected under 35 U.S.C. 103(a) that the combination of references does not teach the claimed "initialization a serial port on the storage controller using the received serial port parameter values" because Peters does not teach the claimed "serial ports" and Peters' initialization of the communication line does not disclose the type of communication line; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

AAPA teaches the user initializing the serial port by selecting at least one serial port parameter value (e.g. baud rate) for a set of serial port parameters (e.g. baud rate, data bits, stop bits, parity and flow control) (Specification, page 2, l. 16 to page 3, l. 1).

Peters teaches initialization communication line using the received communication line parameter (col. 1, l. 66 to col. 2, l. 13).

The resulting combination of the references teaches the initialization the serial port (e.g. communication line) utilizing the received serial port (e.g. communication line) parameter values. As Peters' communication line can be utilized for any type of communication line (Remarks, page 9, 2nd paragraph); therefore, Peters' communication line can be utilized for serial port communication line.

As the applicant also applied similar arguments as presented above for independent claim 1 towards independent claim 13, the examiner will also apply the same response towards independent claim 13.

3. In response to applicant's arguments, in section I.B. starting on page 9, regarding the independent claim 1 rejected under 35 U.S.C. 103(a) that there is not sufficient reason to combine the references because the proposed reason for combination is already achieved by AAPA, as AAPA disclose the controller typically set only one parameter; applicant's arguments have fully been considered, but are not found to be persuasive.

In accordance to applicant's argument, it would be even more motivated to combine Peters with AAPA, because Peters teach the efficiency of setting of more than one parameter utilizing a communication initialization menu rather than just one; in addition to the benefit and motivation for initializing multiple parameters, the user would not need to remember all these parameters utilized for initialization. Therefore, the motivation to combine is for the benefit of relieving the user of the burden of

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remembering all of the parameters for initializing a communication session (Peters, col. 2, ll. 4-6)

As the applicant also applied similar arguments as presented above for independent claim 1 towards independent claim 13, the examiner will also apply the same response towards independent claim 13.

4. In response to applicant's arguments, in section I.C. starting on page 11, regarding the independent claim 1 rejected under 35 U.S.C. 103(a) that the references teaches away from claim 1; applicant's arguments have fully been considered, but are not found to be persuasive.

The examiner respectfully disagree, because neither AAPA nor Peters teaches that by combining with the other, the resulting combination would not function technologically; additionally, the combination of AAPA and Peters does teach/suggest each and every claimed limitation as recited in independent claim 1.

As the applicant also applied similar arguments as presented above for independent claim 1 towards independent claim 13, the examiner will also apply the same response towards independent claim 13.

5. In response to applicant's arguments, in section II.A. starting on page 15, regarding the claims 2 and 14 rejected under 35 U.S.C. 103(a) that the combination of references does not teach/suggest every claimed limitation because the combination of

references does not teach the claimed "serial port"; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). AAPA teaches the claimed "serial port" (Specification, page 2, l. 16 to page 3, l. 1).

6. In response to applicant's arguments, in section II.B. starting on page 18, regarding the claims 2 and 14 rejected under 35 U.S.C. 103(a) that the proposed combination would renders Peters unsatisfactory for Peters' intended purpose because the Farrand provides a GUI that enable a user to select parameters, where as Peters relieve the user of burden of explicit defining parameters; applicant's arguments have fully been considered, but are not found to be persuasive.

The examiner respectfully disagrees, because Farrand is implemented through "selecting" a parameter, not "defining" a parameter; therefore, Farrand's teaching does not need to define parameter.

7. In response to applicant's arguments, in section II.C. starting on page 19, regarding the claims 2 and 14 rejected under 35 U.S.C. 103(a) that Farrand is non-analogous art; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992).

In this case, Farrand is in the field of applicant's endeavor, which is the communication between the disk storage system and the computer for managing by configuring the disk storage system.

8. In section II.D. starting on page 20, regarding the claims 2 and 14 rejected under 35 U.S.C. 103(a), the applicant appears to be reiterate similar arguments are presented above that the combination of reference does not teach/suggest initialization of a serial port, because Farrand does not teach/suggest such feature; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). AAPA teaches the initialization of a serial port (Specification, page 2, l. 16 to page 3, l. 1).

9. In response to applicant's arguments, in sections II.E. and II.F. starting on page 21, regarding the claims 2 and 14 rejected under 35 U.S.C. 103(a) that Farrand is non-

analogous art, because in accordance to the court's decision in *In re Oetiker*, fastening hose clamps would be non-analogous to a fasteners for garments; additionally, Farrand is non-analogous because Farrand is devoid of any disclosure that relates to serial port parameter; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992).

The examiner agrees that a hose clamp is different and non-analogous to a garment. But the examiner respectfully disagrees that Farrand is non-analogous art, because Farrand's system is analogous to the applicant's endeavor, which is the communication between the disk storage system and the computer for managing by configuring the disk storage system (Drawings, Figure 1 and Farrand, Abstract).

10. In response to applicant's arguments, in sections III.A. starting on page 25, regarding the claims 4 and 16 rejected under 35 U.S.C. 103(a) that the combination of reference does not teach/suggest the claimed limitation of "authentication an operator of the host device before receiving the at least one serial port parameter values from the host device"; applicant's arguments have fully been considered, but are not found to be persuasive.

AAPA and Peters teach receiving the at least one serial port parameter values from the host device (AAPA, Specification, page 2, l. 16 to page 3, l. 1 and Peters, col. 1, l. 66 to col. 2, l. 13).

Harrington teaches a system and a method comprising a user entering the information comprising a secret password and a personal user name or identification number and verifying the entered information is correct before granting access to the user (Harrington, l. 1, ll. 30-45), therefore disclosing authentication an operator (e.g. user) of the host device before gaining access (e.g. receiving parameters).

11. In response to applicant's arguments, in sections III.B. starting on page 25, regarding the claims 4 and 16 rejected under 35 U.S.C. 103(a) that Harrington is non-analogous art; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992).

Harrington is analogous art because Harrington is reasonably pertinent to the particular problem with which the applicant was concerned, providing a safe mode of operation as the password is required before accessing; as disclosed in applicant's invention (Specification, page 7, ll. 18-22)

12. In response to applicant's arguments, in sections III.C. and III.D. starting on page 26, regarding the claims 4 and 16 rejected under 35 U.S.C. 103(a) that Harrington does not teach/suggest authentication before receiving the at least one serial port parameter value from the host device; applicant's arguments have fully been considered, but are not found to be persuasive.

AAPA and Peters teach receiving the at least one serial port parameter values from the host device (AAPA, Specification, page 2, l. 16 to page 3, l. 1 and Peters, col. 1, l. 66 to col. 2, l. 13).

Harrington's authentication is implemented before granting access to the user (Harrington, l. 1, ll. 30-45), therefore the authentication would be implemented before granting accessing to receive the at least one serial port parameter value from the host device.

13. In response to applicant's arguments, in sections III.E. starting on page 29, regarding the claims 4 and 16 rejected under 35 U.S.C. 103(a) that Harrington is non-analogous because Harrington is directed towards to using smart paper; applicant's arguments have fully been considered, but are not found to be persuasive.

The examiner is not relying on Harrington's disclosure to implementing the authentication scheme in the embodiment of smart paper (Harrington, col. 1, ll. 45-46), the examiner is relying on the prior art knowledge of implementing the authentication scheme itself in a computer system (Harrington, col. 1, ll. 30-45).

And as disclosed above, Harrington is analogous art because Harrington is reasonably pertinent to the particular problem with which the applicant was concerned, providing a safe mode of operation as the password is required before accessing; as disclosed in applicant's invention (Specification, page 7, ll. 18-22).

14. In response to applicant's arguments, in sections IV.A. and IV.B. starting on page 33, regarding the claims 6 and 18 rejected under 35 U.S.C. 103(a) that the combination of the reference does not teach/suggest all of the feature of the claims because the claimed limitation of "adaptive baud rate negotiation" is not disclosed as Walter's technique does not teach/suggest implementing the "adaptive baud rate negotiation" in such a manner as to "... provides an adaptive baud rate negotiation mechanism using the Universal Asynchronous Receiver Transmitter (UART) registers in the serial port. The adaptive baud rate negotiation is based on the return characters received from a break character from the serial console. The controller may have a UART chip on board that contains programmable baud rate generator that is capable of taking any clock input and dividing it by a divisor from 2 to 65,535 ... The output frequency of the baud rate generator is sixteen times the baud [divisor $\# = (\text{frequency input}) / (\text{baud rate} \cdot 16)$]. Two 8-bit latches store the divisor in a 16-bit binary format. The divisor latches must be loaded during initialization to ensure proper baud rate selection and operation of the baud generator. Upon loading either of the divisor latches, a 16-bit baud counter is immediately loaded ... The adaptive baud rate negotiation mechanism sets a default baud rate, such as 9600 bps, during controller boot up and waits for a

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return character to be received on an external device connected to the serial port after sending a <BREAK> from the serial console. The time taken to transmit a bit depends on the baud rate set on the UART. In the time for transmitting a single bit using 9600 bps, two bits may be transmitted if 19,200 bps is used. Hence, starting an arbitrary timer as soon as the <BREAK> is transmitted and terminating the timer upon receiving a return character from the terminal can compute the time taken to receive the character on the console ... The adaptive baud rate negotiation mechanism waits for a start bit (falling edge) on the serial input pin and then starts the timer. At every subsequent rising edge of the serial data, the timer value is captured and saved. When the timer expires, the last captured value will indicate the duration of the serial character from the start bit to the last zero-to-one transition ..."; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that that the features upon which applicant relies (i.e., ... provides an adaptive baud rate negotiation mechanism using the Universal Asynchronous Receiver Transmitter (UART) registers in the serial port. The adaptive baud rate negotiation is based on the return characters received from a break character from the serial console. The controller may have a UART chip on board that contains programmable baud rate generator that is capable of taking any clock input and dividing it by a divisor from 2 to 65,535 ... The output frequency of the baud rate generator is sixteen times the baud [divisor $\# = (\text{frequency input}) / (\text{baud rate} \cdot 16)$]. Two 8-bit latches store the divisor in a 16-bit binary format. The divisor latches must be loaded during initialization to ensure proper baud rate selection and operation of the baud generator. Upon loading either of

the divisor latches, a 16-bit baud counter is immediately loaded ... The adaptive baud rate negotiation mechanism sets a default baud rate, such as 9600 bps, during controller boot up and waits for a return character to be received on an external device connected to the serial port after sending a <BREAK> from the serial console. The time taken to transmit a bit depends on the baud rate set on the UART. In the time for transmitting a single bit using 9600 bps, two bits may be transmitted if 19,200 bps is used. Hence, starting an arbitrary timer as soon as the <BREAK> is transmitted and terminating the timer upon receiving a return character from the terminal can compute the time taken to receive the character on the console ... The adaptive baud rate negotiation mechanism waits for a start bit (falling edge) on the serial input pin and then starts the timer. At every subsequent rising edge of the serial data, the timer value is captured and saved. When the timer expires, the last captured value will indicate the duration of the serial character from the start bit to the last zero-to-one transition ...) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In addition, Walter does teach the claimed limitation of "adaptive baud rate negotiation" by implementing automatic determining the baud rate of a serial data transmission (Walter, Abstract), wherein the automatic determination would be implemented through adaptive negotiation, such as if the first baud rate is not acceptable, the baud rate would be adaptively negotiated to be set to a second baud rate.

15. In response to applicant's arguments, in sections IV.B. starting on page 34, regarding the claims 6 and 18 rejected under 35 U.S.C. 103(a) that the combination of the reference does not teach/suggest all of the feature of "adaptive baud rate negotiation is based on the return characters received from a break character from the serial console"; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., based on the return characters received from a break character from the serial console) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

16. In response to applicant's arguments, in sections IV.C. starting on page 36, regarding the claims 6 and 18 rejected under 35 U.S.C. 103(a) that the combination of the reference does not teach/suggest all of the feature of "adaptive baud rate negotiation uses time values and break characters in concert with the Universal Asynchronous Receiver Transmitter"; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., using time values

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and break characters in concert with the Universal Asynchronous Receiver Transmitter) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In responding to all applicant's arguments, the examiner will maintain his position and the current rejection of record.

I. INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

17. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in 37 C.F.R. 1.63.

II. INFORMATION CONCERNING DRAWINGS

Drawings

18. The applicant's drawings submitted are acceptable for examination purposes.

III. DISTINGUISHING FEATURES RECITED IN THE CLAIMS

ALLOWABLE SUBJECT MATTER

19. Claims 9-12 contain allowable subject matter.

The allowable subject matter of claim 9 in the instant application is the combination with the inclusion in the claim that there is "**a method of performing an adaptive baud rate negotiation for serial port initialization in a storage controller comprising:**

sending a break key sequence from the external device to the storage controller;

determining an amount of time between a start bit and a stop bit;

obtaining a baud rate based on the amount of time; and

sending a second baud rate for the serial port based on the first baud rate"

The prior art of record including the disclosures of AAPA, Peters et al. (US Patent 4,999,766) and Krulce (US Patent 6,072,827) neither anticipates nor renders obvious the above recited combination. Because claims 10-12 depend directly on claim 9, these claims are considered to contain allowable subject matter for at least the same reasons noted above.

20. Claims 7 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The allowable subject matter of claim 7 and 19 in the instant application is the combination with the inclusion in the claim that there is "**... performing an adaptive baud rate negotiation ... sending a break key sequence from the external device to the storage controller; determining an amount of time between a start bit and a**

stop bit; and obtaining a baud rate based on the amount of time ... " The prior art of record including the disclosures of AAPA, Peters et al. (US Patent 4,999,766) and Walter et al. (US Patent 6,847,615) neither anticipates nor renders obvious the above recited combination. Because claims 8 and 20 depend directly or indirectly on claims 7 and 19, these claims are considered to contain allowable subject matter for at least the same reasons noted above.

IV. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claims 1, 3, 5, 13, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admit prior Art (AAPA) in view of Peters et al. (US Patent 4,999,766).

22. As per claims 1 and 13, AAPA teaches a storage network system and a method, comprising:

a storage system (e.g. disk subsystem) (Specification, page 2, ll. 9-10);

a storage controller (e.g. disk/RAID controller), wherein the storage controller provides access to the storage system (storage system comprising of two or more hard

disks) (Specification, page 2, ll. 10-12) and wherein the storage controller has a serial port for connection to an external device (e.g. laptop computer or maintenance device) (Specification, page 2, ll. 14-15); and

the external device, electrically coupled to the storage controller through the serial port (Specification, page 2, ll. 14-15), and a user initializing the serial port by selecting at least one serial port parameter value (e.g. baud rate) from a set of serial port parameters (e.g. baud rate, data bits, stop bits, parity and flow control) (Specification, page 2, l. 16 to page 3, l. 1).

AAPA does not teach the storage network system and the method for serial port initialization, comprising: receiving at least one serial port parameter value and initializing the serial port by using the received serial port parameter value selected by the user.

Peters teaches a system and a method comprising:

providing a communication initialization menu to a user and the user selecting (e.g. selecting by typing and overriding) a specific communication parameter and initializing a communication line with the selected specific communication parameter (col. 1, l. 66 to col. 2, l. 13), wherein after receiving the specific communication parameter, the communication line and the corresponding ports would obviously operate accordingly.

Peters is analogous art because as Peters' communication initialization menu is reasonably pertinent to the particular problem with which the applicant was concerned, which is to enable a user to initialize a communication link with a peripheral.

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to include Peters' communication initialization menu into AAPA's storage network system for the benefit of relieving the user of the burden of remembering all of the parameters for initializing a communication session (Peters, col. 2, ll. 4-6) to obtain the invention as specified in claims 1 and 13. The resulting combination of the references further teaches the storage network system and the method for serial port initialization, comprising:

providing the communication initialization menu to the user, and the user selecting at least one serial port parameter value; and

after receiving the selected at least one serial port parameter value, the communication with the corresponding serial port would be initialized accordingly (e.g. utilizing the received serial port parameter value).

23. As per claims 3 and 15, AAPA and Peters teach all the limitations of claims 1 and 13 as discussed above, where both further teach the storage network system and method, comprising:

a host device (e.g. laptop computer), electrically coupled to the storage controller (e.g. disk/RAID controller) (AAPA, Specification, page 2, ll. 9-12),

wherein the storage controller receives the at least one serial port parameter value (e.g. baud rate) from the host device (AAPA, Specification, page 2, ll. 15-18 and Peters, col. 2, ll. 11-12).

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24. As per claims 5 and 17, AAPA and Peters teach all the limitations of claims 1 and 13 as discussed above, where AAPA further teaches the storage network system and method, comprising wherein the set of serial port parameters includes at least one of a baud rate, a number of data bits, a number of stop bits, a parity and a flow control (AAPA, Specification, page 2, ll. 17-18).

25. Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Peters et al. (US Patent 4,999,766) as applied to claims 1 and 13 above, and further in view of Farrand et al. (US Patent 5,559,958).

AAPA and Peters teach all the limitation of claims 1 and 13 as discussed above, wherein Peters further teaches presenting a boot menu (e.g. the communication initialization menu) to the user, wherein the boot menu enable the user to select the setting of a plurality of communication parameters (Peters, col. 1, l. 66 to col. 2, l. 13), but AAPA and Peters does not teach the storage network system and method, comprising:

wherein the boot menu includes an option for enabling a serial console mode;
receiving a first user selection to enable the serial console mode;
presenting the serial console mode menu to the user; and
receiving a second user selection of comprising at least one serial port parameter value, wherein the second user selection is made using the serial console mode menu.

Farrand teaches a graphic user interface (GUI) for computer management system and method comprising:

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displaying to a user a file server menu, wherein the file server menu includes a engineering server subsystem (Fig. 10);

receiving a user selection of the engineering server subsystem (Fig. 10-11);

presenting the engineering server subsystem (Fig. 11);

receiving the user selectively depressing one of the engineering server subsystem button comprising a configuration subsystem button (Fig. 11, ref. 516), an input/output subsystem button (Fig. 11, ref. 528), a disk storage subsystem button (Fig. 2111, ref. 520) and a security configuration subsystem button (Fig. 11, ref. 518) (Fig. 11 and col. 197, ll. 1-14).

Farrand is analogous art because Farrand is in the field of applicant's endeavor, which is the communication between the disk storage system and the computer for managing by configuring the disk storage system.

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to include Farrand's GUI menu into AAPA and Peters' storage network system and method for the benefit of providing a GUI interface which enable the user/operator to easily select the available options/functions rather than requiring complex typing of commands to implement the desire functionalities to obtain the invention as specified in claims 2 and 14. The resulting combination of the references teaches the storage network system and method further comprising:

displaying to the user the communication initialization menu, wherein the communication initialization menu would obviously include the option for selection one of the plurality of communication parameters (e.g. baud rate);

receiving the first user selection to enable the menu for setting one of the plurality of communication parameters;

presenting the menu for one of the plurality of communication parameters (e.g. baud rate) to the user; and

receiving the second user selection of comprising the corresponding communication parameter value (e.g. entering the value for the baud rate), wherein the second user selection is made using the menu for one of the plurality of communication parameters.

26. Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Peters et al. (US Patent 4,999,766) as applied to claims 3 and 15 above, and further in view of Harrington (US Patent 6,480,958).

AAPA and Peters teach all the limitation of claims 3 and 15 as discussed above, but AAPA and Peters does not expressly teach the storage network system and method, further comprising wherein the storage controller has a hard-coded password for authenticating an operator of the host device before receiving the at least one serial port parameter value from the host device.

Harrington teaches a system and a method comprising a user entering the information comprising a secret password and a personal user name or identification number and verifying the entered information is correct before granting access to the user (col. 1, ll. 30-45), therefore authenticating the user (e.g. operator) via hard-coded

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password (e.g. secret password and personal user name) before receiving the at least one serial port parameter value from the host device (e.g. granting access).

Harrington is analogous art because Harrington is reasonably pertinent to the particular problem with which the applicant was concerned, providing a safe mode of operation as the password is required before accessing.

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to include Harrington's entering and verification of the secret password and the personal user name or identification number into AAPA and Peters' storage network system and method for the benefit of providing security measures to ensure the receiving of the serial port parameter settings only from authorized user/operator (Harrington, col. 1, ll. 30-33) to obtain the invention as specified in claims 4 and 16. The resulting combination of the references teaches the storage network system and method further comprising the user/operator to enter the information comprising the secret password and the personal user name or identification number and verifying the entered information is correct before enabling the receiving of the start command send by the user/operator

27. Claims 6 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Peters et al. (US Patent 4,999,766) as applied to claims 1 and 13 above, and further in view of Walter et al. (US Patent 6,847,615).

AAPA and Peters teach all the limitations of claims 1 and 13 as discussed above, where both further teach the storage network system and method, comprising:

wherein the set of serial port parameters includes baud rate (Peters, col. 2, ll. 11-12);

the external device (e.g. laptop computer or maintenance device) connected to the storage controller (e.g. disk/RAID controller) through the serial port (Specification, page 2, ll. 14-15); and

wherein the user sets the serial port baud rate by utilizing a break key sequence (AAPA, Specification, page 2, l. 28 to page 3, l. 1).

AAPA and Peters does not teach the storage network system and method, comprising wherein receiving at least one serial port parameter value includes the external device performing an adaptive baud rate negotiation between the storage controller and the external device.

Walter teaches a system and a method for baud rate detection for serial data comprising the negotiating the baud rate of the transferring data by utilizing the function of setting a receiving device (storage device) to a correct baud rate for receiving data (col. 2, ll. 8-15), wherein the data received comprises of a predetermined data word, such as one of the character 'A' or 'a', and the next character in the serial data transmission may be 'T' or 't' (col. 2, ll. 49-52 and col. 6, ll. 43-49).

Walter is analogous art because then Walter is reasonably pertinent to the particular problem with which the applicant was concerned which determination of the baud rate for serial data transmission.

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to include Walter's setting of correct baud rate into AAPA and

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Peters' storage device for the benefit of providing the automatic determination of baud rate for the serial data transmission (Walter, Abstract and col. 2, ll. 1-2) to obtain the invention as specified in claims 6 and 18. The resulting combination of the references teaches the storage network system and method further comprising setting the correct baud rate by receiving data including the break sequence, therefore implementing the adaptive baud rate negotiation between the storage controller and the external device based on the received break key sequence.

V. CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

The following is a summary of the treatment and status of all claims in the application as recommended by M.P.E.P. 707.07(i):

a(1) CLAIMS REJECTED IN THE APPLICATION

Per the instant office action, claims 1-20 have received a final action on the merits. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

b. DIRECTION OF FUTURE CORRESPONDENCES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

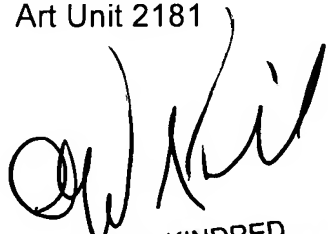
IMPORTANT NOTE

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 26, 2007

Chun-Kuan (Mike) Lee
Examiner
Art Unit 2181



ALFORD KINDRED
SUPERVISORY PATENT EXAMINER